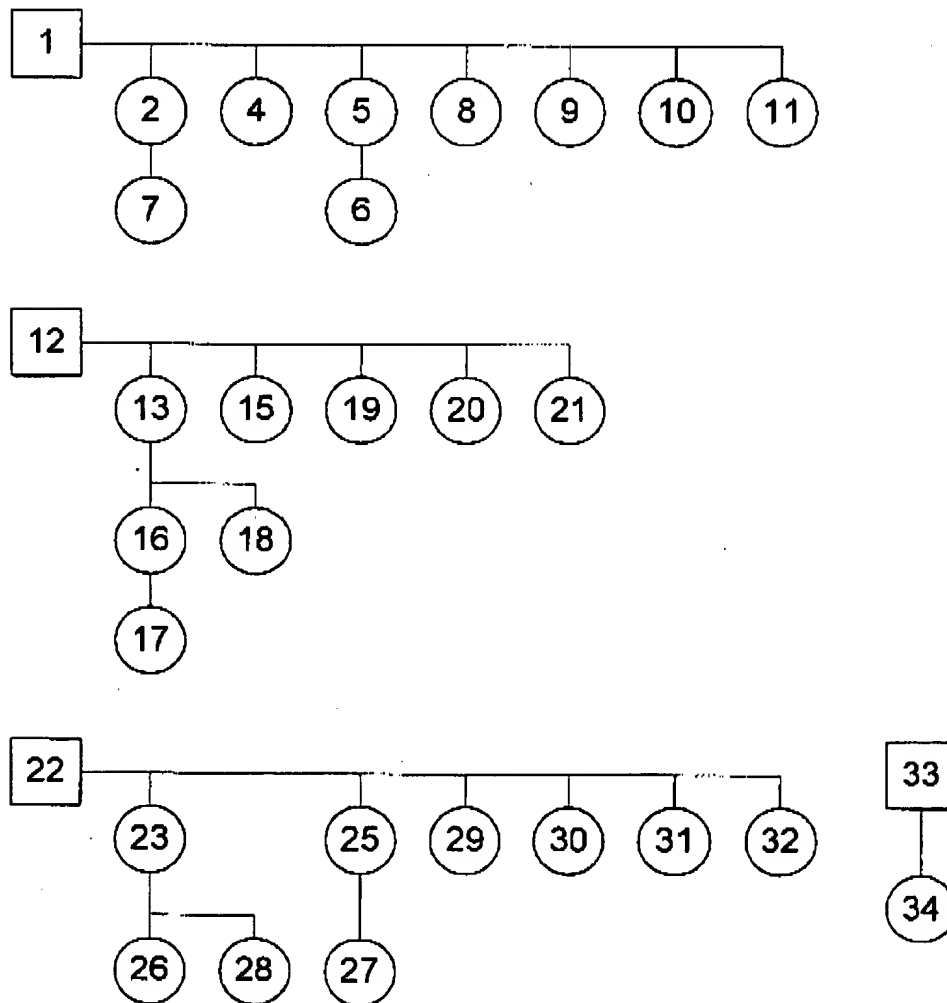


In re Application of BAHLE et al.
Application No. 09/973,341

REMARKS

Reconsideration of the application is respectfully requested. An Office action mailed May 12, 2004 is pending in the application. Applicants have carefully considered the Office action and the references of record. In the Office action, claims 1-35 were rejected under 35 U.S.C. § 103. In this response to the Office action, claims 3, 14, 24 and 35 have been canceled, and claims 1, 4, 12, 15, 22, 25 and 33 have been amended. Therefore, claims 1-35 are pending in the application. The following diagram depicts the relationship between the independent and dependent claims.



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Rejections Under 35 U.S.C. § 103 of the Independent Claims

Each of the independent claims 1, 12, 22 and 33 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,456,621 to Wada et al. (hereinafter *Wada*). The Manual of Patent Examining Procedure (M.P.E.P.) states that, to support the rejection of a claim under 35 U.S.C. § 103(a), each feature of each rejected claim must be taught or suggested by the applied prior art, and that each of the words describing the feature must be taken into account.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. ... All words in a claim must be considered in judging the patentability of that claim against the prior art.

(M.P.E.P. § 2143.03, emphasis added). Each of the independent claims 1, 12, 22 and 33 as amended herein include at least one feature not taught or suggested by *Wada* alone or in combination with the prior art of record and is thus patentable for at least this reason.

In particular, each of the independent claims 1, 12, 22 and 33 is amended herein to clarify the nature and relationship of the claimed address change message and secured control channel. For example, claim 1 as amended requires that a secured control channel between a mobile host and a correspondent host be implemented with a cryptography-based security protocol and that the cryptography-based security protocol include an address change message that is sent by the mobile host to the correspondent host over the secured control channel.

Sending, by the mobile host, an address change message to the correspondent host over a secured control channel, the secured control channel implemented with a cryptography-based security protocol, the cryptography-based security protocol comprising the address change message.

(Claim 1 as amended, emphasis added). Even if, for the purposes of applying the reference to the claims, the "address conversion post message" of *Wada* is taken to be an address change message, *Wada* does not show a cryptography-based security protocol comprising the address conversion post message that implements a secured control channel. *Wada* does not describe a cryptography-based security protocol implementing a secured control channel at least because *Wada* is innocent with respect to secured control channels. The only

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mention of the term "security" in Wada occurs in the context of a simple comparison of network addresses.

The [autonomous packet transfer support check] message 147 does not necessarily hold the home address α and the temporary address β although they can be used in checking the security of the network if it does.

(Wada column 34, lines 44-47). This is a far cry from a secured control channel implemented with a cryptography-based security protocol as claimed and described by the specification of the present application.

Wada, alone or in combination with the prior art of record, does not teach or suggest an address change message and secured control channel having the claimed nature and relationship. It follows that the rejection under 35 U.S.C. § 103(a) of claims 1, 12, 22 and 33 should be withdrawn.

Claim Objections

In the Office action, claims 4, 15 and 25 were objected to as including an informality requiring correction, that is, that the abbreviation IPSEC was insufficiently defined. Each of claims 4, 15 and 25 is amended herein to correct the informality.

The Remaining Dependent Claims

Each of claims 1, 12, 22 and 33 is in independent form, whereas all of the remaining claims depend directly or indirectly on one of these four independent claims. The dependent claims are allowable for at least the same reasons that the four independent claims 1, 12, 22 and 33 are allowable in that the dependent claims incorporate the features of the independent claims. Nevertheless, the dependent claims further define subject matter not shown or rendered obvious by the prior art of record. Because the independent claims are allowable over the applied prior art, applicants do not believe remarks addressing this further subject matter are necessary herein.

CONCLUSION

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The application is considered in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue. If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,



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